done to fair, 20th, 20th

that market indicated a feeling of uncertainty in the minds of English traders over the Transvaal situation that made local shorts uneasy and caused considerable buying by that class of traders. The demand from this source was a factor in the late strength of the market.

Trading in corn was dull. The market in general was steady in sympathy with wheat. Big seaboard in sympathy with wheat. Big seaboard engagements had some influence. There was talk of another advance in ocean rates. Receipts were 20 cars. The seaboard reported 90 loads taken for export. December ranged from 304394c to 305c and closed unchanged at 306394c.

Oats were quiet and steady, influenced by wheat. The speculative trade was light and the fluctuations narrow. The cash demand continued good. There was a large demand for May at 214c, with light offerings at that figure. December ranged from 224c to 236234c, and closed a shade lower at 234c. Receipts were 236 cars.

Provisions were dull. Early the market was strong with grain but later selling by

## Const. | 114.65 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71.8 | 71

WHISKY-Distillers' finished goods, per d., \$1,22. SUGARS—Cut loaf, unchanged.

| PLUMS-Oregon, per crate, \$1.25. | CALIFORNIA PEACHES - Freestones, \$1.15; clings, \$1.10 | do pfd. 94 | do pfd. 72 | Misseouri Pacific 44% Lactode Gas 66 | Mobile & Obile &

Butter, Eg gand Cheese Markets.

NEW YORK, Oct. 5.—BUTTER—Re-clpts, 5,167 pkgs.; firm; western creamery, 7624c; June creamery, 19622c; factory, 14 2719年代、 CHEESE—Receipts, 6.927 pkgs.; firm; large white, 11年前11年に small white, 11年前 120: large colored, 11年前126; small colored,

Minneapolis Wheat and Flour.
MINNEAPOLIS, Oct. 5.—WHEAT—No. 1
northern, October, 70%c; December, 69%c;
May, 72%c, On track; No. 1 hard, 71%c;
No. 1 northern, 69%c; No. 2 northern, 66%c;
FLOUR—First patents, \$3.80@3.90; second patents, \$3.60@3.70; first clears, \$2.60@2.70.

Duluth Market.

DULUTH, Oct. 5.—WHEAT—No. 1 hard, cash, 724c; No. 1 northern, cash, 704c; October, 704c; December, 704c; May, 74c; No. 2 northern, 67%c; No. 3 spring, 64%c,

Flour, bbls. 18,000 8,000
Wheat, bu 181,000 4,000
Corn, bu 28,000 43,000
Oats, bu 28,000 2,000
Bye, bu 18,000 2,000
On the Produce exchange today the butter market was firm, cramerles, 16625c; dairies, 16624c. Cheese, quiet, 197114c. Eggs, firm, 1645c. Poultry, firm; turkeys, 9670c; chickens, 7154834c; ducks, 845c.

NEW YORK GENERAL MARKET.

Quotations of the Day on Various
Commodities.

NEW YORK, Oct 5 - FLOUR-Receipts, 17,545 bbls; exports, 4,024 bbls; market firm but moderately active; winter patents, \$8,60074.50; winter straights, \$3,3506
345; extras \$2,45002,00; winter law strades.

The control of the co

Cotton Market.

NEW YORK, Oct. 5.—COTTON—Offerings of cotton were eagerly snapped up by nervous shorts around the opening at the Cotton exchange today and before sufficient cotton could be found to meet the demands of investors. The foreign element and the south prices had advanced Soys points. By mid-day this improvement had been supplanted by an additional rise of from 4 to 6 polotts, with the market at that time showing remarkable strength. Though there were litervals of profit-taking, causing an occasional setback in prices, the late market showed planty of bullish spirits. Engglish cables showed great strength, with Liverpool futures from 5 to 644d higher and spot oution active and hardening. The cotton belt supplied bad weather news, reports of still higher prices for spot cotton and receipts in such volume as to bear out small crop estimates. Private wires deciared that the crop was showing up less favorably as the season progressed. The government charts records heavy rains in portions of the Atlantic states and falling temperature west of the Mississippi valley. In the central guif a severe storm was said to be in full sway, leading to fears of more or less damage to cotton still in the fields. The bulk of the cotton reported sold today was down to the account of mill buyers. Market closed steady with prices net 9 to 11 points higher.

NEW ORLEANS, Oct. 5.—COTTON—Very Market closed steady with prices net 9 to 11 points higher.

NEW ORLEANS, Oct. 5.—COTTON—Very firm; sales, 7,179 beles; ordinary, 51-16c; good ordinary, 59-16c; low middling, 64c; middling, 65c; good middling, 75c; middling, 64c; middling, 65c; good middling, 75c; middling fair, 75c; receipts, 5,149 bales; stock, 211,970 bales, Futures, steady; October, 36,531 bid; November, 36,5561,56; December, 56,906,691; January, 56,5467,69; Pebruary, \$6,9867,00; March, \$7,0367,00; April, \$7,0767,08; May, \$7,1167,13; June, \$7,1567,11.

ST. LOUIS, Oct. 5.—COTTON—Firm, 5c higher; middling, 75c; no sales reported; receipts, 4,170 bales; shipments, 3,226 bales; stock, 68,084 bales. higher; middling, 71%c; no sales reported; recelpts, 4,170 bales; shipments, 3,226 bales; stock, 68,694 bales.

LIVERPOOL, Oct. 5.—COTTON—Spot, fair demand, prices 1-16c higher; American middling, fair, 41%d; good middling, 4,3-16d; middling, 323-32d; low middling, 325-32d; good ordinary, 319-32d; ordinary, 313-32d. The sales of the day were 10,000 bales, of which 7,000 bales were for speculation and export and included 9,000 bales American. Receipts, 6,000 bales, including 5,800 bales American. Futures opened firm and closed steady at the advance. American middling L. m. c., October, 360-64d, sellers; October and November, 350-64d, sellers; December and December, 350-64d, sellers; December and January, January and February, 357-64d, sellers; February and March, 357-64d, sellers; February and March, 357-64d, sellers; April and May, 358-64d; sellers; June and July, 359-64d; 369-64d, sellers; July and August, 359-64d; sellers.

St. Paul U.S. Rubber 47% do pfd 170 U.S. Rubber 47% St. Paul & Omnha 155 Western Union 87% Southern Paeille 37% Republic I & S. 26% Southern Railway 11½ ao pfd 71 do pfd 51% P. C. C. & St. L. 74 Wool Market.

NEW YORK, Oct. 5.—WOOL—Firm; domestic fleece, 20@25c; pulled Texas, 15@18c.

ST. LOUIS, Oct. 5.—WOOL—Inchanged.

LONDON, Oct. 5.—WOOL—The offerings at the wool auction sales today amounted to 11,596 bales. Fine merinos and the finest grades of cross breds were firm. There was spirited bidding for this stock and the home trade secured the bulk. Medium was steady and was taken occasionally by American representatives, who have purchased up to today about 4,000 bales. Coarser grades were largely withdrawn. Following are the sales: New South Wales, 1,500 bales; scoured, 74,d@2s 11½d; greasy, 9d. Queensland, 300 bales; scoured, is ½d@1s 11½d; greasy, 11½d@1s 1d. Victoria, 400 bales; scoured, 9d@1s 3½d; greasy, 10d@1s. New Zealand, 9,200 bales; scoured, 74,d@2s 1½d; greasy, 44,d@1s ½d. Wool Market. NEW YORK, Oct. 5-MONEY-On call, firm at 4@12 per cent; last loan, at 4 per

New York Money Market.

Total receipts.........197 The disposition of the day's receipts was as follows, each buyer purchasing the number of head indicated:

Cattle, Hogs. Sheep. 193

Eric Gen. 13. 71 Tenn. newset 8s. 97
F. W. & D. C. 1sts 77 T. P. 1sts 113
Gen. Elec. 5a ex. n.116 T. P. 2ds ... 501
G. H. & S. A. 2ds ... 108 U. P. 4a. ... 1034
G. H. & S. A. 2ds ... 108 Wab. 1sts ... 115
H. & T. C. con. 6s. 108 Wab. 1sts ... 115
H. & T. C. con. 6s. 108 W. Shore 4s ... 1126
K. C. P. & G. 1sts 72 Va. Contures ... 884
La N. W. Cont. 1sts ... 76
K. C. P. & G. 1sts ... 72 Va. Contures ... 884
La N. Uni. 4s ... 99 Colorado South n.4s. 85
Goffered.

Boston Stocks and Boads.

BOSTON, Oct. 5.—Call loans, 5 per cent. Closing prices for stocks, bonds and mining shares:

A. T. & S. F. ... 20 Thest. Electric ... 47

Coffee Market.

Coffee Market.

Sugar Market.

Sugar Market.

Sugar Market.

Sugar Market.

Sugar Market.

Sugar Market.

NEW YORK, Oct. 5.—SUGAR—Raw, dull, weak; No. 6, 4½c; No. 5, 4½c; No. 13, 4c; No. 13, 4c; No. 14, 3 15-16c; mould A, 57-16c; standard A, 45-16c; cushed, 5 11-16c; powdered, 5½c; granulated, 5 3-16c; cubes, 5 5-16c.

LONDON, Oct. 5.—SUGAR—Beet, October, standard A, 45-16c; No. 10, 45-16c; cushed, 5 11-16c; powdered, 5½c; standard A, 45-16c; on 5, 45-16c; no. 10, 45-16c; no. 10, 45-16c; no. 11, 41-16c; No. 13, 4c; No. 13, 4c; No. 13, 4c; No. 14, 45-16c; No. 12, 4c; No. 13, 4c; No. 13, 4c; No. 14, 45-16c; no. 16, 45-1

COMMERCIAL AND FINANCIAL

In the market for metals. The only change of importance was in speller, which advanced 5 points on firmer reports from the other side. The was nominally easily and the close the Metal exchange and so sellers in the state of importance was in speller, which advanced 5 points on firmer reports from the other side. The was nominally easily and the close the Metal exchange alled pictured dull and nominally unchanged. At the close the Metal exchange called picture was an advanced after. Exhibiting Nervous Activity.

JANUARY PORK, LARD AND RIBS GO LOWER AND RIBS GO LOWER AND RIBS GO LOWER TO MARKET.

All Lines Reflecting Liverpool Quotantions, Which Just Now Are Considered an Index of the Stitustion.

Large Americans opened at how, Americans opened at they closed at 10%, Americans opened a

94 237 4 39 81 247 80 4 40 41 313 4 30 85 267 160 4 40 17. 255 80 4 20 94 219 40 4 40 19 255 4 30 106 211 4 4214 40 286 80 4 30 217 105 80 4 45 50 286 80 4 30 74 253 4 45 80 286 80 4 30 74 253 4 45 18 271 81 4 30 61 183 80 4 50 SHEEP—A group

sentutive sales: No.	Av.	1	,
27 ewes	78	\$2	
27 western ewes	102	3	A
400 Wyoming wethers	1.19	- 3	4
314 wethers	94	- 3	8
213 western wethers	-296	- 3	Q
5 Western Wethers	90	- 3	H
203 western wethers	101	3	H
1 buck	. 90	- 4	Û
1 feeder lamb	80	4	1
825 lambs	56 66	- 4	1
3 lambs, natives	66	. 4	H
419 lambs, natives	69	- 4	ď
131 western lambs	68	- 4	ŧ
CHARGAGO LINE AMOUNT	** *	10 LF	

\$4.4064.75; pigs brought shower, and all shoers, \$51,0674.75; pigs brought shower, and tamba was duit. The supply was too targe for the demand and prices declined somewhat in consequence. Sheep ranged from \$1.90 to \$4.10 for inferior to choice, westerns selling at \$5.504.00. Lambs sold at \$5.100 5.25 for fancy flocks, ordinary grades bringing \$1.5005.00; western range lambs sold at \$4.5006.00.

RECEIPTS—Cattle, 11.500 head; hogs, 25.-000 head; sheep, 12,000 head.

St. Louis live stock.

St. Louis live stock.

St. Louis Oct. 5—CATTLE—Receipts, 2,500 head, including 2,908 head Texans; market steady; native shipping and export steers. \$4,750,650; dressed boof steers. \$1,35,675; steers under 1,000 he., \$3,5074,90; stockers and feeders. \$2,850,450; rows and helfers. \$2,000,500; canners. \$1,500,275; build. \$2,500,360; Texas and Indian steers. \$3,650; 4,35; cows and helfers. \$2,000,870.

HOGS — Receipts. \$2,000,870; market steady; pigs and lights. \$1,504,65; pickers. \$4,400,400; butchers. \$4,5074,70; pickers. \$4,400,400; butchers. \$4,5074,70; pickers. \$4,5074,70; shield and bucks. \$1,000,275; stockers. \$2,000,285; chils and bucks. \$1,000,375.

Following are the receipts of stock at the four principal western markets for October 6: 
 Ber 6:
 Cattle.
 Hogs.
 Sheep.

 South Omaha
 8,300
 6,495
 7,779

 Chicago
 11,500
 25,900
 12,906

 Kansas City
 9,400
 10,550
 4,240

 St. Louis
 2,500
 5,900
 2,000
 KANSAS CITY, Oct. 5 - CATTLE-Re-cipts, 8,000 head natives and 1,400 head

Texans; supply consisted mostly of westerns; good active demand all stroimaprices steady; heavy native steers, \$2.50 ft.25; lightweights, \$2.201.50; stockers and
feeders \$3.500,5.00; burchers cows and hadrers, \$3.500,4.00; canners \$2.5002.50; wheter
steers, \$3.500,4.00; Texans \$3.5004.50; wheter
steers, \$3.500,4.00; Texans \$3.5004.50
HOGS — Receipts, 10.50 head market
steedy; heavy, \$1.500,4.00; page, \$4.2504.40
\$3.500,5.00; heavy, \$1.500,4.00; page, \$4.2504.40
\$3.500,5.5; stockers and feeders, \$3.2509.40
culls, \$2.500,5.25.

St. Joseph Live Stock. St. Joseph Live Stock.

SOUTH ST. JOSEPH, Oct. 5.—(Special)—
The Journal quotes:
CATTLE—Receipts, 900 head, including
200 head quarantines; quality common,
market active and steady.
HOGS—Receipts, 4.700 head; market
mostly 5c lower; heavy and medium, 54.424
64.45; light, 54.4004.55; pigs, 54.3504.50; built
of sales, \$4.3504.40.
SHEEP—Receipts, 100 head; market
steady.

California Dried Fruits. NEW YORK, Oct. 6.—CALIFORNIA DRIED FRUITS—Steady. Evaporated ap-ples, common, 74c; prime wire tray, 74c; 84c; choice, 84/97c; fancy, 50794c. Fruncs, 34-978c. Apricots, Royal, 12/01/4c; Moor park, 14/97c. Peaches, unpecial, 73/97c.

SUPREME COURT PROCEEDINGS.

September 19, 1898—Court met pursuant to law. John H. Linderman, J. H. Brown, Thomas T. Kerl, Ernest J. Brown, Walter A. Martin and Dexter L. Thomas were admitted to practice. Chadron Building and Loan Asociation against O'Linn; order of revivor. Richardson Drug Company against Teasdall; advanced. Abbott against Coates; leave to plaintiff to cite additional authorities. Chloago, Rock Island & Pacific Railway Company against Andreesen; suggestion of diminution allowed; leave to withdraw record for authentication granted. Lovell against Omaha and Florence Land and Trust Company, dismissed Union Trust Company against Rowell, Alliance Trust Company against Fredericksen; suggestion of diminution allowed. McCoy against Concadileave to plaintiff to file briefs. Hayden against Fredericksen; suggestion of diminution allowed. McCoy against Concadileave to file briefs as per stipulation. Young against Wood; leave to file briefs as per stipulation. Libby against State are religiously and Railroad Company; leave to file briefs as per stipulation. Libby against State as rel Davis. Wittenberg against Mollyneaux; McKinney against First National Bank, Chadron; advanced. State against German Savings Bank; suggestion of diminution allowed; advanced. Leidigh against Keaver; leave to file briefs as per stipulation. Hudock against State; Fleck against State; affirmed. State ex rel Cornell against Poynter; leave to docket granted.

September 20, 1899.—Krull against State ex rel Cornell against Poynter, leave to docket granted.

September 21, 1899.—Hudock against State ex rel Cornell grant devention of the poynter, leave to docket granted. Poynter, leave to Brown. Phoentx Mutual Life Insurance Company against Sparks, Actna Life Insurance Company against Sparks, Actna Life Insurance Company against Wortaszewski and Nebraska Loan and Trust Company against Kreehner, motions to dismiss overruled; Hargreaves against Tennis, motion to quash bill of exceptions as to Blair sustained; Nelson against Farmland Security Company, suggestion of diminution disallowed; Johns against Kamarad, leave to plaintiff to file briefs distanter; Hyatt against Patton, Huffman against Ellis and Alling against Woodard, motions to quash bill of exceptions overruled; McKinney against First National Bank, Chadron, motion to quash bill of exceptions sustained.

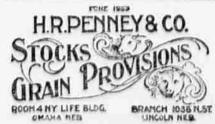
Court adjourned till October 3, when the

proof.

2. Whether the morigage is fraudulent depends on the intention of the parties, and is not a question of law for the court, but a question of fact for the jury.

3. In an action of replevin the plaintiff is entitled to a verdict and judgment for the property, or the value of the property, which was wrongfully withheld from him by the defendant when the suit was instituted.

4. In repleyin the plaintiff cannot recover damages for property which was not in de-fendant's possession or under his control at the beginning of the suit.



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